

## REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

In the Office Action mailed January 27, 2004, claims 1- 67 were rejected. Claims 1, 5-6, 9-14, 17, 20-21, 23, 25-26, 43, 45-47, 51-54, 56-57, 60-65 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,247,571 to Kay et. al. ("Kay") in view of U.S. Patent No. 6,175,574 to Lewis (Lewis) . Claims 2-3, 7-8, 22, 24 27-32, 36, 44, 48-49, 55, and 58-59 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kay in view of Lewis and further in view of U.S. Patent No. 5,974,133 to Fleischer, III et. al. ("Flesicher"). Claims 4, 15-16, 18-19, 50, and 66-67 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kay in view of Lewis and further in view of U.S. Patent No. 4,769, 837 to McCormick et. al. ("McCormick"). Finally, claims 33-35 and 37-42 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kay in view Lewis, further in view of Fleischer, further in view of McCormick.

By this Amendment, Applicants cancel claims 2 and 50 without prejudice or disclaimer to the subject matter contained therein and amend claims 1, 17, 30, 33, 36, 43, 47, 51, 53, 54, 56, 60, 65, and 66 in accordance with the proposal discussed during the telephone interview referenced below. Upon entry of this amendment, claims 1, 3-49, and 51-67 will be pending in this application.

Applicants thank Examiner Taylor for the courtesies extended to Applicants' representatives during the telephone interview conducted April 22, 2004. The references cited

by the Examiner in the Office Action dated January 27, 2004 were discussed. Based on this discussion, Applicants' representatives agreed to amend the independent claims to more clearly describe that the desired intercom service is directed to an intercom session established at a location among a plurality of telephones at the particular location.

The Examiner agreed that the intercom service of Kay was different from that disclosed in the instant application and that the call-back feature of Lewis was intended to eliminate the need to continually call a number that is busy at the time of an initial call, not to establish an intercom session. Lewis does not, therefore, apply to an intercom service as described in the instant application, but is directed to the use of a call-back feature to establish a communication session between telephone numbers when the called number is initially busy. In accordance with the discussions during the telephone interview referenced herein, Applicants believe the present claim amendments more clearly define the type of intercom service disclosed in the instant application.

In view of the foregoing, upon entry of the current amendment, all of the claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone applicants' undersigned representative at the number listed below.

SHAW PITTMAN LLP  
1650 Tysons Boulevard  
McLean, VA 22102  
Tel: 703/770-7900

Date: April 26, 2004

Respectfully submitted,

LEVINE ET AL

By:

  
Brett C. Martin, Patent Agent  
Reg. No. 52,000

BCM/RAR/dkp

Customer No. 28970

Document #: 1281116 v.1